United Nations CRC/C/OPAC/USA/Q/3-4/Add.1

Convention on the Rights of the Child

Distr.: General
23 March 2017

Original: English
English and Spanish only

Committee on the Rights of the Child
Seventy-fifth session
15 May–2 June 2017
Item 4 of the provisional agenda
Consideration of reports of States parties

List of issues in relation to the report submitted by the United States of America under article 8 (1) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

Addendum

Replies of the United States of America to the list of issues*

[Date received: 14 March 2017]

* The present document is being issued without formal editing.

1. The United States is pleased to submit its written replies to the List of Issues, dated November 8, 2016, CRC/C/OPAC/USA/Q/3-4.[1] In the spirit of cooperation, the United States is providing as much information as possible in response to the Committee's questions and comments, taking into consideration the word count, even where the questions or information provided in response do not bear directly on obligations arising under the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (OPAC). The United States also expresses its appreciation for the opportunity to appear in person before the Committee in May 2017.

Question 1

Please complement information provided in paragraph 14 of the State party's report (CRC/C/OPAC/USA/3-4) and explain whether and how information on the Optional Protocol has been disseminated to the general public and included in school curricula.

2. As noted in 14 and 34 of the United States Third and Fourth Periodic Report (2016 Report), the United States disseminates the text of the OPAC and related material widely to all government levels and to the public, and also communicates with state, tribal, and territorial governments to inform them of OPAC obligations and the concomitant reporting requirements of the United States. The Department of State (DOS) also publishes widely read reports that address the unlawful use of child soldiers. The annual Trafficking in Persons (TIP) Report includes child soldiering as a manifestation of human trafficking when it involves the unlawful recruitment or use of children—through force, fraud, or coercion—by armed forces as combatants or other forms of labor. The TIP Report also publishes a list of foreign governments identified during the previous year as having governmental armed forces or government-supported armed groups that unlawfully recruit and use child soldiers, pursuant to the Child Soldiers Prevention Act of 2008 (CSPA), as amended (Tit. IV, P.L. 110-457). The reports for 2001-2016 are available at www.state.gov/j/tip/rls/tiprpt. The annual DOS Country Reports on Human Rights Practices also include reporting on unlawful use of child soldiers for each State reviewed and, in recent years, provide additional information, including trends toward improvement in each State or the lack thereof and the role of the government of each State engaging in or tolerating the use of child soldiers as defined in the CSPA. The reports covering 1999 to 2016 are available at www.state.gov/j/drl/rls/hrrpt/. Curricular content in education in the United States is set at state and local levels, and the United States will continue to facilitate wide dissemination of the OPAC and information on the issues it addresses.

Question 2

With reference to paragraphs 8 and 16 of the State party's report, please inform the Committee of the difficulties encountered by the State party to raise the minimum recruitment age into its armed forces to 18 years. Please also provide information on measures taken to prohibit the use of children under the age of 18 in armed conflict.

3. In the United States, students graduating from high school who do not intend to continue their education normally enter the workforce. These graduates are generally 18 years old by the time of high school graduation in the late spring or early summer, but some—most often those with birthdays between June and September—are still 17 years old. One workforce option for all Americans is military service. The United States maintains the minimum recruitment age at 17, so that persons graduating from high school can enter military service shortly after graduation, rather than be unemployed for several months. Because it takes many months to complete the recruitment, enlistment, and training processes, recruits are normally 18 by the time they are ready to join their military units.

4. The United States is not required under OPAC or any other legal or policy instrument to raise the recruitment age to 18, and it does not intend to do so.

5. The Army, the Navy, the Marine Corps, and the Air Force have implemented various policies, procedures, and controls to ensure, consistent with OPAC Article 1, that

[1] These written replies will be posted at http://www.state.gov/g/drl/hr/treaties.

any service members under the age of 18 do not take direct part in combat. For this purpose, the Department of Defense (DoD) carefully tracks the assignments of service members under 18 years of age to areas where hazardous duty pay and/or imminent danger pay are authorized. Paragraphs 4 and 5 of the U.S. December 6, 2012, Written Replies (2012 Written Replies) describe in detail the application of this policy and its legal underpinnings. As noted in our 2016 Report, since 2010 there have been no deployments of service members under 18 into areas where hazardous duty pay and/or imminent danger pay are authorized, and even prior to 2010 service members under 18 deployed into such areas did not take direct part in combat.

6. In addition, each of the Military Departments within DoD has established policies and procedures that limit the assignment of service members to units deployed overseas or scheduled to deploy operationally before the service member's eighteenth birthday. The Military Departments also have checks in their personnel systems to ensure that assignment managers adhere to the provisions of the service policies and programs. Safeguards include actions such as "flagging" the records of service members under 18, adding duty limitation codes, and conducting multiple checks during the assignment or movement process.

Question 3

With reference to recruitment requirements and safeguards referred to in paragraph 17 of the State party's report, please provide the Committee with a copy of the documentation given to parents and children which explains the risks, duties, and legal obligations of children involved in military service and the avenues open to them to claim their rights.

7. With regard to the risks and duties of involvement in military service, the enlistment contract explains the risks, duties, and legal obligations of military service. With regard to recruitment, the Every Student Succeeds Act (ESSA), enacted in 2015, amended the "Armed Forces Recruiter Access to Students and Student Recruiting Information" provisions of the Elementary and Secondary Education Act (ESEA). Under these provisions, as amended (20 U.S.C. § 7908), local educational agencies that receive financial assistance from the federal government under the ESEA must permit military recruiters to have access, upon request, to limited, well-defined information (names, addresses, telephone listings) of secondary school students, unless the parent[2] submits a written request that the information not be released for such purposes without the parent's prior written consent. If such a request is received, the local educational agency may not release the student's name, address, or telephone listing to military recruiters without the prior written consent of the parent. Once the student has reached 18 years of age, the right to submit such a written request and to provide prior written consent transfers to the student. As a matter of DoD policy, military recruiters routinely request this information only for juniors and seniors in high school—i.e., those in their third and fourth year of a four-year high (i.e., secondary) school program, typically aged 16 to 18 years.

8. The ESEA, as amended, directs the Department of Education (ED), in consultation with DoD, to notify school leaders, school administrators, and other educators about the requirements of 20 U.S.C. § 7908. Further, local educational agencies that receive federal financial assistance under the ESEA must notify the parents of students they serve (or the students, if 18 years of age or older) of the opportunity to opt out of the disclosure of this information to military recruiters unless they provide their prior written consent. In November 2016, ED notified school leaders, school administrators, and other educators about these provisions in a "Dear Colleague" letter, http://familypolicy.ed.gov/sites/fpco.ed.gov/files/military-recruiter_0.pdf.

9. Each local educational agency produces and publishes the documentation provided to parents concerning the opt-out process. An example of opt-out information and associated forms for one school district is available at the following links:

[2] Under 20 U.S.C. § 7801(38) and relevant federal regulations, the term "parent" also includes legal guardians.

- General opt-out information: https://www.fcps.edu/registration/opt-out-forms.
- High school-specific opt-out information (with military recruiting opt-out on page 11): https://www.fcps.edu/sites/default/files/media/forms/2016-17Complete%20Packet%209-12.pdf.

Question 4

Please indicate whether the quota system for military recruiters has been abolished and, if not, the reasons for not doing so; whether child recruits are required to actively reconfirm their decision to enlist upon reaching 18 years; whether child recruits can leave the army at their own request before reaching the age of 18; and whether parents may withdraw their consent after enlistment if the child is still under 18.

10. The quota system for military recruiters has not been abolished. Recruiters are given goals or missions to help motivate their work and to ensure that a sufficient number of highly qualified recruits are brought into the All-Volunteer Force. There are no plans to abolish this longstanding practice, nor does the OPAC require such abolition.

11. The majority of new recruits are between the ages of 18 and 24. Individuals who enlist prior to the age of 18 are not required to reconfirm actively their decisions to enlist upon reaching 18 years. However, with regard to such individuals, DoD has established rules to ensure that these young men and women fully understand the possible consequences of their decisions and have time to ensure that the decisions they have made are the right ones for them. In order to begin the enlistment process for individuals under 18, a recruiter must have the written permission of a parent. Once someone volunteers and is processed administratively, the next three to six months are usually spent at home as a civilian waiting for a class date to start basic training, which is followed by advanced specialty training. During this timeframe, should an individual change his or her mind and choose not to serve, the military will separate that individual accordingly. Thus, recruits may leave the military at their own request before reaching the age of 18 if they have not begun their training.

12. There is no formal policy statement on the issue of whether parents may withdraw consent after enlistment if the child is still below 18 years of age. However, the recruiting process is based on voluntary service and a new recruit is permitted to change his or her mind prior to entering training and is separated upon request.

Question 5

Please indicate: (a) The nature of the recruiter irregularities referred to in annex IV of the State party's report and the sanctions imposed in case of wrongdoing; (b) whether the State party intends to make it compulsory to formally request informed consent of the parents before sharing personal information about students with the army.

13. During Fiscal Year (FY) 2015,[1] the most recent year for which data are available, more than 246,000 new recruits were recruited by more than 20,800 recruiters. During this timeframe, 496 substantiated cases of recruiter irregularities or misconduct were reported, of which 64 cases were for sexual harassment of or sexual misconduct with new recruits, 116 were for inappropriate relationships with recruits, and the remaining 316 cases were for falsifying documents, testing irregularities, coercion, or other general recruiter misconduct. Although any report of recruiter irregularity/misconduct is concerning, it is important to note that only two-tenths of one percent of new recruits reported experiencing any inappropriate behavior by their recruiter in FY 2015. Cases would be handled, and sanctions imposed where warranted, based upon the Uniform Code of Military Justice (UCMJ), with lesser offenses considered under non-judicial punishment and more severe

[1] The U.S. fiscal year runs from October 1 of one year to September 30 of the following year. Fiscal Year 2015, for example, ran from October 1, 2014 to September 30, 2015.

offenses prosecuted using a court martial. These punishments or sanctions can range from administrative admonishments up to extended periods of confinement and dishonorable discharges.

14. As noted in ¶ 8 above, under the ESEA, as amended by the ESSA, local educational agencies that receive federal financial assistance under the ESEA must notify students' parents (or the student, if he or she has reached 18 years of age) of the opportunity to opt out of the disclosure of a student's name, address, and telephone listing to military recruiters unless the parent, or the student if he or she has reached 18 years of age, provides prior written consent. The law does not permit use of an opt-in procedure, and accordingly the United States will not require consent of parents (or students 18 years of age or above) before sharing a student's name, address, or telephone listing with military recruiters.

Question 6

With regard to the deployment of persons under the age of 18 in areas where hazardous duty pay or imminent danger pay have been granted, and with reference to information provided in paragraph 19 of the State party's report, please explain the reasons why such deployments have not yet been prohibited.

15. First, as noted in ¶ 5 above, since 2010 no service members under the age of 18 have been deployed to areas where hazardous duty pay and/or imminent danger pay were authorized. Furthermore, as explained in ¶¶ 5-6 above and ¶¶ 4-5 of the 2012 Written Replies, sufficient safeguards are in place to ensure that even if service members under age 18 were deployed into such areas, they would be serving only in supporting roles and would not take direct part in combat.

Question 7

Please provide detailed information on the regulations applicable to private military and security companies and indicate whether: (a) The State party has ensured that the regulations refer to the provisions of the Optional Protocol and humanitarian law and how it effectively monitors and exercises extraterritorial jurisdiction over the activities of private military and security companies abroad; (b) Any evaluation has been conducted of the impact on crimes covered by the Optional Protocol of the State party's policy of outsourcing military and security services, and any outcomes thereof.

16. The principal laws and regulations governing the use of armed contractors by the U.S. government are found in Public Law 110-181, § 862; Office of Management and Budget (OMB) Policy Letter 11-01; and the following implementing regulations: 32 Code of Federal Regulations (CFR) 159; the Federal Acquisition Regulation, 48 CFR 52.225–26; the Department of Defense Federal Acquisition Regulation Supplement 252.225-7039 and 252.225-7040; and Department of Defense Instruction (DODI) 1100.22, DODI 3020.41, and DODI 3020.50. Most pertinent to the provisions of the Optional Protocol are OMB Policy Letter 11-01 and its implementing regulation, DODI 1100.22, which prohibit the use of contractors for combat operations. Pursuant to this, combatant commander orders for arming and use of force specify that contract security personnel are not combatants and prohibit direct participation in hostilities by these contractors. 32 CFR 159.6 and DODI 3020.50 require all Private Security Companies (PSCs) to be trained on the laws of armed conflict. Documentation of that training must be included in any request to arm contractor personnel before such authorization is given. Similarly, 48 CFR 252.225-7040(d) requires DoD-contracted personnel authorized to accompany U.S. Armed Forces deployed outside the United States to be familiar with and comply with the law of war, and with any other applicable treaties and international agreements.

17. 48 CFR 252.225-7039 requires private security personnel and all other DoD contractors armed under the terms of their contracts to operate in compliance with American National Standard ANSI/ASIS PSC.1-2012. In addition to providing supplemental requirements and guidance related to training in the law of armed conflict, Requirement 9.2.2 of that standard prohibits the contractor from employing any person younger than 18 years of age for any duty that requires the person to use a firearm or other

weapon. This minimum age restriction is also reflected in DoD Arming Authorization Orders and DoD contract clauses applicable to every contract under which personnel may be armed, which also prohibit arming contractors younger than 18 years of age. In addition to these, DoD contracting practice includes clauses that require all private security company personnel to have had a minimum of four years military service with an honorable discharge. This requirement alone ensures that such personnel are above 18 years of age.

18. The Military Extraterritorial Jurisdiction Act (MEJA) provides criminal jurisdiction over PSCs to the extent their employment relates to supporting the mission of DoD overseas. MEJA provides jurisdiction over these individuals if they commit an offense outside the United States that would be punishable if committed within the special maritime and territorial jurisdiction of the United States, as defined in 18 U.S.C. § 7. A number of sections in the U.S. criminal code declare certain conduct, such as murder and other felonies, to be crimes if committed within the special maritime and territorial jurisdiction of the United States.

19. The War Crimes Act, 18 U.S.C. § 2441, provides criminal jurisdiction over conduct that is determined to constitute a war crime when committed by or against a U.S. national or U.S. military member, whether the act occurred within or outside the United States. The Federal Torture Statute, 18 U.S.C. §§ 2340–2340B, provides criminal jurisdiction over U.S. nationals, and anyone present in the United States, who commits or attempts to commit torture outside the United States.

20. Finally, government contractors may be subject to the jurisdiction of the UCMJ, 10 U.S.C. §§ 801–946. Under the UCMJ, a person serving with or accompanying the U.S. Armed Forces in the field during a declared war or contingency operation may be disciplined for a criminal offense, including by referral of charges to a General Court Martial. Such contractors may be ordered into confinement or placed under conditions that restrict movement in the area of operations or administratively attached to a military command pending resolution of a criminal investigation.

21. DoD has more than 20,000 warranted Contracting Officers and more than twice as many trained and certified Contracting Officer's Representatives (CORs) to assist in the selection and contracting of DoD-contracted support, including services provided by professional services contractors and other services as described in paragraph 9(a) of the Preface to the Montreux Document, https://www.icrc.org/eng/assets/files/other/icrc_002_0996.pdf. Duties and performance expectations of CORs can be found in the Defense Contingency Contracting Officer Representative Handbook, http://www.acq.osd.mil/dpap/ccap/cc/corhb/index.html.

22. Contractor personnel are prohibited from combat operations and from direct participation in hostilities. Therefore, there has been no evaluation of the impact of arming of military and security contractors on the provisions of the Optional Protocol because, according to regulation, the situation of contractor personnel under 18 years of age being recruited for or used in direct participation in hostilities would not arise.

Question 8

Please provide information on whether any investigation has been conducted into the grave violations of children's rights that have allegedly been committed by private military and security companies in Afghanistan and Iraq, notably the killing and maiming, the detention, the torture and the recruitment of children. Please also provide information on the outcomes of any such investigation.

23. The U.S. government has received no credible information about U.S. government-contracted personnel in Afghanistan and Iraq committing "grave violations of children's rights." In the absence of such reports, no investigation has been conducted. We would also note that the only conduct listed in the question that is potentially relevant to U.S. obligations under the OPAC is "recruitment."

Question 9

Please provide information on the results of any investigation conducted into the killing of children reported by the United Nations Assistance Mission in Afghanistan (UNAMA), on the measures taken to establish accountability and prevent violations, on whether the outcome of any such investigation has been made public and on how families may obtain redress, including compensation. Please also provide information on the findings of the Department of Defense regarding the State party's air strikes on a hospital run by Médecins sans frontières in Kunduz on 3 October 2015.

24. The subject matter of these questions is not relevant to U.S. obligations under the OPAC, as the questions do not concern recruitment or use of children in armed forces or groups. With regard to the reference to a possible investigation of the killing of children reported by UNAMA, the U.S. government does not know to what the question refers and therefore is not in a position to respond. With regard to the Kunduz airstrike, in the spirit of dialogue, the United States provides the following information.

25. The U.S. Central Command (USCENTCOM) conducted an investigation of the Kunduz airstrike, the results of which were released on April 29, 2016, see http://www.centcom.mil/MEDIA/PRESS-RELEASES/Press-Release-View/Article/904574/april-29-centcom-releases-investigation-into-airstrike-on-doctors-without-borde/. The intended target was an insurgent-controlled site, which was approximately 400 meters away from the Médecins sans frontières (MSF) Trauma Center. The investigation found that an AC-130U Gunship aircrew, in support of a U.S. Special Forces element that was supporting a partnered Afghan ground force, misidentified the MSF Trauma Center as the insurgent-controlled site, and that all members of both the ground force and the AC-130U aircrew were unaware the aircrew was firing on a medical facility throughout the engagement. This misidentification was due to a combination of human errors, including process and equipment failures, fatigue, and the fast tempo of the operation, as well as the "fog of war," which is the uncertainty often encountered during combat operations.

26. A memorandum issued by USCENTCOM in connection with the public release of the report describes the military personnel accountability actions. The relevant U.S. Commanders took the action they deemed appropriate regarding the 16 personnel involved in this tragic incident. The actions included suspension and removal from command, letters of reprimand, formal counseling, and extensive retraining. Five of the personnel involved were directed out of Afghanistan.

Question 10

Please provide information on the recovery and reintegration strategy of the State party with regard to children fleeing armed conflict and provide data disaggregated by state on the number of refugee children who benefited from the strategy over the reporting period. Please also provide updated information on the number of former child soldiers whose requests for asylum were refused on the basis of the Immigration and Nationality Act since 2013.

27. Although the information solicited by these questions is not relevant to U.S. obligations under the OPAC, the United States is committed to assisting children affected by armed conflict to the extent possible. Our humanitarian assistance provides life-saving services including medical care, food, shelter, and other basic needs to vulnerable displaced children, including those formerly associated with armed forces and groups. We support humanitarian efforts tailored to the unique needs of different children of all ages including adolescent girls and boys, children younger than five years of age, separated and unaccompanied minors, children with disabilities, and child members of minority groups, among other demographics. In addition, our assistance seeks to address other life-saving protection needs specific to children such as family reunification, legal assistance to prevent statelessness, and child-friendly psychosocial support, among others.

28. With regard to the number of refugee children admitted over the reporting period, please see the tables in Annexes 1 and 2. Annex 1 shows refugee minors admitted via the

United States Refugee Admissions Program from FY 2009 through FY 2015, broken down by nationality. Annex 2 shows the same group broken down by placement state or territory within the United States. The tables include all refugee minors admitted through the Refugee Admissions Program regardless of whether they resettled with parents, familial caregivers, non-familial caregivers, or were destined for foster care (a small minority). The U.S. government does not collect the statistics requested in the second sentence of Question 10 concerning the number of former child soldiers whose requests for asylum were refused on the basis of the Immigration and Nationality Act, nor is it required to do so under the OPAC.

Question 11

Please explain how the United States military forces based in Afghanistan monitor the treatment of child detainees in operations they support and how they prevent children from being subjected to torture and ill-treatment, including through their training, advisory and assistance tasks. Please provide detailed information on the investigation conducted into the cases of detention of two children referred to in the UNAMA report entitled *Treatment of Conflict-related Detainees in Afghan Custody*, published in 2015, and on the outcomes of the investigation.

29. Although the information solicited by these questions is not relevant to U.S. obligations under the OPAC, the United States is committed to complying with the law of armed conflict in all of our military operations, and to training our partners on abiding by their legal obligations. The U.S. Mission in Afghanistan is one in which we train, advise, and assist the Afghan government in its efforts to bring peace and stability to Afghanistan. As part of this mission, U.S. forces assist the Afghan government in building its capacity to capture, detain, investigate, adjudicate, rehabilitate, and reintegrate national security threats in accordance with the Afghan legal system. U.S. forces in Afghanistan have provided training on the proper treatment and handling of detainees, including recognizing the often difficult or unfortunate circumstances of young detainees. This training includes recommendations to separate juvenile detainees from the adult population, to allow communal recreation where possible, and to provide young detainees additional access to books, education, and medical services that take into account the specific needs of the detainees appropriate to their respective ages. Further, U.S. forces continually work with the Afghan government to ensure compliance with the law of armed conflict, which includes the humane treatment of all detainees. Current policy requires U.S. forces to report immediately through operational and judge advocate chains of command any possible, suspected, or alleged law of armed conflict violation for which there is credible information. The United States does not have information to provide on the investigation conducted into the cases of detention of children referred to in the UNAMA report on the Treatment of Conflict-related Detainees in Afghan Custody. We believe the best source for this information would be the Government of Afghanistan.

Question 12

Please provide information on redress and rehabilitation measures, including compensation, afforded to Omar Khadr.

30. The OPAC creates obligations on States to take all feasible measures to ensure that members of their armed forces under 18 years of age do not take a direct part in hostilities, to prohibit compulsory recruitment of persons under 18 years of age, and to prohibit and criminalize the recruitment or use in hostilities of persons under the age of 18 years by armed groups distinct from the armed forces of a State. The United States fully complies with these obligations. The Protocol does not create any obligations to refrain from prosecuting violations of the law of war or to provide compensation to those detained lawfully under the law of armed conflict. In fact, it does not address, and was not intended to address, the situation where a minor commits a violation of the law of war or is detained as part of the armed forces of the enemy.

31. Nevertheless, in a spirit of dialogue, we provide the following information on Omar Khadr. Mr. Khadr, a Canadian national, was detained lawfully by the United States under

the law of armed conflict. In a conflict where terrorists turn children into combatants, deliberately sending some to their death, the detention of juveniles becomes an unavoidable necessity and burden. Indeed, the principal rationale for detaining combatants under the law of armed conflict—i.e., to prevent them to from returning to the fight—may save lives and applies even to those who may be under the age of 18 at the time of capture. The U.S. government chose to prosecute Mr. Khadr under the Military Commissions Act of 2006. On October 25, 2010, Mr. Khadr pleaded guilty to multiple violations of the law of war. Mr. Khadr was sentenced by a Military Commissions panel to 40 years' confinement; a pretrial plea agreement, however, limited the sentence to eight years. In September 2012, Mr. Khadr was transferred to Canada to serve the rest of his sentence, and he was released on bail in May 2015 pending further review of his conviction. For information concerning reintegration, the Government of Canada may be the appropriate source.

Question 13

Please explain how the provision of military assistance has helped the countries receiving such assistance to become more compliant with the provisions of the Optional Protocol. Please also indicate whether the State party has assessed the effectiveness of granting waivers to stop the recruitment of children in armed conflict in these countries.

32. For a discussion of the ways in which the United States has used the waiver authority as an incentive for countries to become more compliant with the Optional Protocol, the United States refers the Committee to the discussion in ¶ 31 of the 2016 Report.[4]

33. Of the ten countries included in the 2016 CSPA list, six countries received some form of U.S. assistance. The waiver provision within the CSPA provides the United States with the opportunity to work with the affected country's military to promote needed reforms and professionalize their armed forces to be more respectful of human rights, democratic values, and civilian control of the military. By linking waivers to specific actions and elements of our bilateral engagement with each country, the United States can use the possibility of a waiver to provide an incentive for reform while continuing to work closely with those governments to end the use and recruitment of child soldiers.

34. For example, although more progress is needed, the Federal Government of Somalia, which received a partial waiver in 2016, has taken steps to implement its UN-backed child soldier action plan. The United States continues to incorporate human rights training modules, including child soldiers' issues, into training programs for the African Union Mission in Somalia and the Somali National Army (SNA), which serves to increase awareness of the problem and the international norms and regulations regarding use of children in armed conflict. U.S. government assistance supports the Government of Somalia's Child Protection Unit (CPU) and six regional focal points that support implementation of the action plan through continued training and inspections of the SNA.

35. As another example, in coordination with the international community, U.S. security sector reform efforts have in recent years contributed to a marked reduction in the recruitment and use of children within the Armed Forces of the Democratic Republic of the Congo, which also received a partial waiver in 2016. The Government of the Democratic Republic of the Congo has evidenced a commitment to addressing the issue of child soldiers and has taken significant steps to address the problem. For a second consecutive year, international observers did not report any cases of child recruitment by those Armed Forces.

36. As a third example, issuing a full waiver to Nigeria in 2016 has allowed continued assistance to professionalize the Government of Nigeria's military, including building

[4] In the version of the 2016 Report filed by the United States, available at http://www.state.gov/g/drl/hr/treaties, this information appears at B-29. This version of the report combined into the same report information on the OPAC and the Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography, as instructed by the Committee's reporting guidelines.

effective long-term and mutually beneficial U.S.-Nigerian military-to-military relations; helping to professionalize the Nigerian military through training that incorporates human rights and rule of law; and providing training that augments the overall capabilities of Nigerian military forces to conduct effective counterterrorism, peacekeeping, and maritime security operations. These efforts ultimately advance our goals of improving the human rights record of the Nigerian military, countering violent extremism, and helping to build more professional, reliable security forces in Nigeria that are capable of countering threats to U.S. national security interests.

Annexes

Annex 1

Refugee Minors Admitted Through the U.S. Refugee Admissions Program by Nationality

Refugee Minors Admitted Through the U.S. Refugee Admissions Program

	Fiscal Year of Arrival							*Grand*
Nationality	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*	*Total*
Afghanistan	15	184	162	186	247	327	396	1 517
Angola	1		2		7		2	12
Armenia		1	4	6		2	18	31
Azerbaijan	6	2	4	4	3	7	2	28
Bangladesh						1		1
Belarus	47	36	21	28	5	13	30	180
Benin		1		2				3
Bhutan	3 061	3 683	4 633	4 677	2 796	2 499	1 788	23 137
Botswana				1				1
Brazil						1		1
Burkina Faso (U. Volta)		1						1
Burma	2 423	7 124	7 219	4 796	6 094	5 457	7 321	40 434
Burundi	154	333	53	106	120	37	650	1 453
Cambodia		6	2	2	14	19		43
Cameroon		3		6		1	9	19
Central African Republic	15	27	117	80	180	16	131	566
Chad		16	11	3	11	16	8	65
China		9	9	6	22	14	5	65
Colombia		42	22	57	97	99	189	506
Congo	22	73	10	39	63	11	17	235
Costa Rica		3						3
Cuba	621	1 306	716	503	1 100	1 005	358	5 609
Dem. Rep. Congo	78	1 649	503	986	1 353	2 318	4 033	10 920
Djibouti							1	1
Ecuador		2		1	16	9	17	45
Egypt	3	10	2	7	11	11	5	49
Equatorial Guinea	4	6						10
Eritrea	137	577	351	197	558	614	731	3 165
Estonia				1				1
Ethiopia	14	270	217	181	303	302	236	1 523
Gabon		3	2	5	4	1	3	18
Gambia		1	5	2	7			15
Georgia			12	2		9	3	26
Guatemala			3					3
Guinea		5			4	4	1	14
Guinea-Bissau			1					1
Haiti		11				2		13

Refugee Minor: Admitted Through the U.S. Refugee Admissions Program

	Fiscal Year of Arrival							Grand
Nationality	2009	2010	2011	2012	2013	2014	2015	Total
Honduras		10	3					13
India		2	1	1		1		5
Indonesia							2	2
Iran	308	535	304	299	370	395	442	2 653
Iraq	1 202	5 987	2 922	3 873	6 464	6 647	4 677	31 772
Israel		2						2
Ivory Coast		3	4	14	7	18	13	59
Jamaica		1						1
Jordan	2	11	2	2	14	3	8	42
Kazakhstan	20	13	19	3	6	6	25	92
Kenya		5		14		15	3	37
Korea, North		1	2	2	3	1	7	16
Kuwait		8			4	1	1	14
Kyrgyzstan	16	9	8	25	6	8	7	79
Laos	6	20	115	11		1		153
Lebanon		2				1	3	6
Liberia	39	99	57	38	45	8	4	290
Libya				2				2
Lithuania		1						1
Malaysia		1	2				2	5
Mali				2	1	1	1	5
Mauritania		40	1			2		43
Moldova	124	103	114	96	39	49	110	635
Morocco		1						1
Mozambique		1		3				4
Namibia							1	1
Nepal			3	9	6	4	6	28
Niger				2				2
Nigeria				1	1	2	1	5
Pakistan	6	26	24	93	57	98	59	363
Palestinian	10	412	51	74	75	56	36	714
Panama		2						2
Philippines						1		1
Republic of South Sudan				1	11	23	49	84
Russia	134	129	68	79	59	41	113	623
Rwanda		119	41	80	65	22	99	426
Saudi Arabia						1	1	2
Sierra Leone	1	22	10	1	1	3	2	40
Singapore						2		2
Somalia	747	2 248	1 402	2 033	3 141	4 228	4 264	18 063
South Africa						2	1	3
Sri Lanka (Ceylon)		23	24	15	29	16	30	137
Sudan	62	236	143	370	553	414	750	2 528
Syria		10	13	5	18	56	883	985

Refugee Minors Admitted Through the U.S. Refugee Admissions Program

Nationality	*Fiscal Year of Arrival*							*Grand Total*
	2009	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*	
Tajikistan			2	3	2			7
Tanzania		4					3	7
Thailand		4	1	5	2	4	11	27
Tibet				2	1			3
Togo		2	3	10	6	15		36
Tunisia		1					1	2
Turkey		1					1	2
Turkmenistan	2	2	1		4			9
Uganda		7	4	10	6	4	7	38
Ukraine	139	137	167	139	95	180	553	1 410
United Arab Emirates				1				1
United Kingdom							2	2
Unknown		2						2
Uzbekistan	10	85	40	81	18	25	13	272
Venezuela		1			1			2
Vietnam	327	253	56	42	34	21	10	743
Yemen	29	9	4		6		11	59
Zambia		1	1					2
Zimbabwe		2	5		5	2	3	17
Grand Total	**9 785**	**25 977**	**19 698**	**19 325**	**24 170**	**25 172**	**28 169**	**152 296**

Annex 2

Refugee Minors Admitted Through the U.S. Refugee Admissions Program: Placement State or Territory Within the United States

Refugee Minors Admitted Through the U.S. Refugee Admissions Program

Placement State or Territory	*Fiscal Year of Arrival*							*Grand Total*
	2009	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*	
Alabama	22	48	28	46	34	31	36	245
Alaska	21	46	27	14	28	45	39	220
Arizona	549	1 233	773	783	1 159	1 251	1 418	7 166
Arkansas	1	19	1	4	1	1	4	31
California	920	2 344	1 417	1 593	1 829	1 648	1 744	11 495
Colorado	296	725	541	552	697	695	692	4 198
Connecticut	48	179	138	131	171	215	243	1 125
Delaware		1	11		3		4	19
District of Columbia	3	6	10	4	4	21		48
Florida	528	1 222	845	609	1 050	985	820	6 099
Georgia	486	1 252	971	840	968	1 034	1 267	6 818
Hawaii	2				1		1	4
Idaho	162	417	257	285	343	378	384	2 226
Illinois	248	808	636	682	775	828	1 008	4 985
Indiana	157	544	483	409	543	596	719	3 451
Iowa	158	122	128	151	208	244	307	1 318
Kansas	58	114	125	126	167	167	295	1 052
Kentucky	257	773	527	482	585	719	884	4 227
Louisiana	34	95	101	56	73	70	44	473
Maine	73	132	86	76	137	171	206	881
Maryland	83	356	427	373	369	442	594	2 644
Massachusetts	232	765	559	534	692	821	615	4 218
Michigan	360	1 057	846	1 156	1 458	1 341	1 251	7 469
Minnesota	217	929	826	705	914	960	1 078	5 629
Mississippi		7	2	4	1	6	15	35
Missouri	113	501	334	341	439	547	608	2 883
Nebraska	103	311	281	262	383	389	497	2 226
Nevada	62	179	73	125	155	176	225	995
New Hampshire	129	188	168	118	142	132	168	1 045
New Jersey	181	251	107	78	136	101	113	967
New Mexico	17	98	47	66	91	66	100	485
New York	720	1 740	1 260	1 180	1 451	1 557	1 787	9 695
North Carolina	391	821	790	675	826	853	944	5 300
North Dakota	76	168	122	189	160	213	189	1 117
Ohio	257	736	579	746	990	1 010	1 206	5 524
Oklahoma	6	70	115	73	99	157	176	696
Oregon	107	466	307	258	336	438	424	2 336
Pennsylvania	321	899	972	849	856	942	1 154	5 993

Refugee Minors Admitted Through the U.S. Refugee Admissions Program

Placement State of Territory	*Fiscal Year of Arrival*							*Grand Total*
	2009	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*	
Puerto Rico		2						2
Rhode Island	30	104	60	42	72	82	86	476
South Carolina	81	43	60	33	51	55	98	351
South Dakota	91	232	182	252	195	215	208	1 375
Tennessee	373	584	432	403	475	511	592	3 170
Texas	1 164	2 685	2 031	2 027	2 698	2 584	3 076	16 465
Utah	179	432	357	363	513	460	548	2 852
Vermont	64	97	107	99	114	107	121	709
Virginia	239	866	434	440	458	456	497	2 990
Washington	380	1 158	802	774	939	976	1 041	6 070
West Virginia		6	5	11	11	14	16	65
Wisconsin	56	344	308	266	370	462	627	2 433
Grand Total	**9 786**	**25 977**	**19 698**	**19 325**	**24 170**	**25 172**	**28 169**	**152 296**